

2009 DRAFTING REQUEST

Bill

Received: **11/19/2008**

Received By: **mglass**

Wanted: **As time permits**

Identical to LRB:

For: **John Townsend (608) 266-3156**

By/Representing: **Matt Pulda**

This file may be shown to any legislator: **NO**

Drafter: **mglass**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Townsend@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Annual fishing license for certain disabled veterans

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/1	mglass 11/28/2008	kfollett 12/12/2008	mduchek 12/12/2008	_____	sbasford 12/12/2008		S&L
/2	mglass 12/16/2008 mglass 12/18/2008	kfollett 12/16/2008 kfollett 12/18/2008	mduchek 12/19/2008	_____ _____ _____	mbarman 12/19/2008		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	mglass 12/23/2008	wjackson 01/20/2009	rschluet 01/20/2009	_____	cduerst 01/20/2009	cduerst 01/22/2009	
		kfollett 01/20/2009		_____			

FE Sent For: "13" @ intro. 2/24/09

<END>

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/?							S&L
/1	mglass 11/28/2008	kfollett 12/12/2008	mduchek 12/12/2008		sbasford 12/12/2008		
<p>FE Sent For:</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p><i>12/5/18</i></p> <p><i>12/18</i></p> </div> <div style="text-align: center;"> <p><i>MD</i></p> <p><i>12/19</i></p> </div> <div style="text-align: center;"> <p><i>MD</i></p> <p><i>12/19</i></p> </div> </div> <p style="text-align: center;"><END></p>							

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/?	mglass	11/15/08	MD	MD/JF			
		12/1/08	12/1/08	12/1/08			

FE Sent For:

<END>

Gibson-Glass, Mary

From: Pulda, Matt
Sent: Wednesday, November 19, 2008 1:52 PM
To: Gibson-Glass, Mary
Subject: Drafting request for Rep. Townsend

Mary,

The Representative was interested in drafting a bill that would amend section 29.193(3)(c) so that veterans who receive disability compensation benefits as individually unemployable under 38 USC 1502 are eligible to get a discounted fishing license under 29.563(3)(a)9.

In other words, 29.193(3)(c) would be similar to 27.01(7)(c)11. (2007 Act 165).

Thanks!

Matt Pulda
Legislative Assistant
Office of State Rep. John Townsend
(608) 266-3156

07-
50143/2

Gibson-Glass, Mary

From: Pulda, Matt
Sent: Tuesday, December 16, 2008 10:47 AM
To: Gibson-Glass, Mary
Subject: FW: Discounted fishing licenses for disabled veterans
Attachments: disabled license analysis.doc

Mary,

Thanks for your work on 2009 LRB-0867. I shared the draft with the requesters, and they agree that the language of the bill will accomplish what they are want.

However, they indicated that they felt "some of the wording in the analysis section isn't quite accurate". I asked them for their suggestions, and they sent the following e-mail, with attachment. Not having any military experience, I can't really add any comments of my own one way or the other, although I believe that if the analysis is inaccurate, it might confuse people and hurt the bill's chances, although I notice the requesters didn't have too many issues with the description of what the bill would actually do, just the description of the disability rating system.

Please look their comments over and let me know what you think. If you think the analysis is accurate as it stands, would it be possible to put something in writing that I can forward to the requesters?

Thanks!

Matt

From: cjordan@co.walworth.wi.us [mailto:cjordan@co.walworth.wi.us]
Sent: Tuesday, December 16, 2008 10:17 AM
To: Pulda, Matt
Subject: RE: Discounted fishing licenses for disabled veterans

Mr. Pulda:

I've attached suggestions for changes to the analysis. I think the most important concept I'm trying to correct is that a 70% VA disability compensation benefit is not a military benefit because the military also rates disabilities. What the military comes up with may or may not match what the VA eventually awards. Also, the 70% VA disability compensation payment is not 70% of the 100% award. For instance in 2008, a single veteran rated 70% receives \$1,161/mo. 100% disability = \$2,527.

Again, our thanks to your office for your assistance on this legislation !! Please call or e-mail with any questions.

Chris Jordan
Walworth County Veterans Service Officer
PO Box 1001
Elkhorn, WI 53121
262-741-4222

12/16/2008

"Pulda, Matt" <Matt.Pulda@legis.wisconsin.gov>

To <cjordan@co.walworth.wi.us>

12/15/2008 03:29 PM

cc <john.wertschnig@fdlco.wi.gov>

Subject RE: Discounted fishing licenses for disabled veterans

Dear Ms. Jordan,

Thank you for reviewing the bill. If you send me your suggestions for correcting/improving the analysis, I'll share them with the bill drafter and see what changes need to be made. The language is the most important thing, of course, since that's what actually gets passed (or not passed), but an inaccurate analysis can create a lot of unnecessary confusion that can hurt a bill's chances. Our office number is (608) 266-3156, or you can e-mail me your suggestions so nothing gets lost in translation.

Thanks again!

Matt Pulda
Legislative Assistant
Office of State Rep. John Townsend

From: cjordan@co.walworth.wi.us [mailto:cjordan@co.walworth.wi.us]
Sent: Monday, December 15, 2008 3:01 PM
To: Pulda, Matt
Cc: john.wertschnig@fdlco.wi.gov
Subject: Discounted fishing licenses for disabled veterans

Mr. Pulda:

I am currently serving as the Legislative Chair for the County Veterans Service Officers Association of Wisconsin. Your e-mail regarding the above topic was forwarded to me by John Wertschnig. We very much appreciate your assistance in sponsoring a bill to amend the disabled veteran license criteria so that it matches the disability requirements for the free admission to state parks benefit.

The actual bill language reads perfectly. However, I feel some of the wording in the analysis section isn't quite accurate. I can provide input into that if you feel it is appropriate.

Thank you!

Chris Jordan
Walworth County Veterans Service Officer
PO Box 1001
Elkhorn, WI 53121
262-741-4222

12/16/2008

Under current state law, a disabled veteran who is a resident of this state may be issued an annual fishing license at a lower fee than the regular fee for the license if he or she has a ~~military~~ service-connected disability rating of 70 percent or greater, as determined by the U.S. Department of Veterans Affairs (VA). This percentage disability rating is based on medical records and doctors' reports. For example, a disability rating of 70 percent entitles a veteran to a 70 percent of the applicable military disability benefit. **disability compensation payment.** However, in each case, the VA also determines whether the veteran's disability, based on his or her education, skills, and medical condition, is so severe as to render the veteran "individually unemployable." If the VA makes that determination, the veteran is not given a percentage disability rating and is provided a 100 percent disability benefit. **compensated based on the percentage disability rating. Rather, they are compensated at the 100% compensation level.**

Under current law, only veterans who have a **70% percent percentage or greater service-connected** disability based on medical records and doctors' reports are eligible for annual fishing licenses at the lower fee. Under this bill, veterans who are determined to be individually unemployable are **also** eligible for annual fishing licenses at the lower fee.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0867/3

MGG:...

in
11/28

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

department of

affairs

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AN ACT ...; relating to: an annual fishing license to a resident disabled veteran

2

whose disability is based on his or her being unemployable.

licenses

Analysis by the Legislative Reference Bureau

Under current state law, a disabled veteran who is a resident of this state may be issued an annual fishing license at a lower fee than the regular fee for the license if he or she has a military disability rating of 70 percent or greater, as determined by U.S. veterans administration (VA). This percentage disability rating is based on medical records and doctors' reports. For example, a disability rating of 70 percent entitles a veteran to 70 percent of the applicable military disability benefit. However, in each case, the VA also determines whether the veteran's disability, based on his or her education, skills, and medical condition, is so severe as to render the veteran "individually unemployable." If the VA makes that determination, the veteran is not given a percentage disability rating and is provided a 100 percent disability benefit.

Under current law, only veterans who have a percentage disability based on medical records and doctors' reports are eligible for an annual fishing license at a lower fee. Under this bill, a veteran who is determined to be individually unemployable is eligible for an annual fishing license at the lower fee.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 **SECTION 1.** 29.193 (3) (c) of the statutes is amended to read:

2 29.193 (3) (c) Produces evidence that shows that he or she is a veteran, as
3 defined in 38 USC 101, and is receiving disability compensation benefits under 38
4 USC 1101 to 1163 as individually unemployable under 38 USC 1502 or for
5 disabilities that result in a disability rating that is ~~70%~~ 70 percent or greater under
6 38 USC 1114.

7 **History:** 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17.

(END)

in act
12/16

RMR

2009 BILL

Regen

- 1 AN ACT *to amend* 29.193 (3) (c) of the statutes; **relating to:** issuing annual
- 2 fishing licenses to certain resident disabled veterans.

Analysis by the Legislative Reference Bureau

Under current state law, a disabled veteran who is a resident of this state may be issued an annual fishing license at a lower fee than the regular fee for the license if he or she has a military disability rating of 70 percent or greater, as determined by the U.S. Department of Veterans Affairs (VA). This percentage disability rating is based on medical records and doctors' reports. For example, a disability rating of 70 percent entitles a veteran to 70 percent of the applicable military disability benefit. However, in each case, the VA also determines whether the veteran's disability, based on his or her education, skills, and medical condition, is so severe as to render the veteran "individually unemployable." If the VA makes that determination, the veteran is not given a percentage disability rating and is provided a 100 percent disability benefit.

Under current law, only veterans who have a percentage disability based on medical records and doctors' reports are eligible for annual fishing licenses at the lower fee. Under this bill, veterans who are determined to be individually unemployable are eligible for annual fishing licenses at the lower fee.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

INS
ANL

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BILL

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(END)

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0867/2ins
MGG:kjf.md

for

INS ANL

Under current state law, a disabled veteran who is a resident of this state may be issued an annual fishing license at a lower fee than the regular fee for the license if he or she has a service-connected disability rating of 70 percent or greater, as determined by the U.S. Department of Veterans Affairs (VA). This percentage disability rating is based on medical records and doctors' reports. For example, a disability rating of 85 percent entitles a veteran to an 85 percent disability compensation payment. However, in each case, the VA also determines whether the veteran's disability, based on his or her education, skills, and medical condition, is so severe as to render the veteran "individually unemployable." If the VA makes this determination, the veteran is not compensated based on the percentage disability rating. Instead, he or she is given 100 percent of the applicable disability compensation benefit. This bill expands the eligibility to be issued an annual fishing license to a veteran who is determined to be "individually employable".

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at the lower fee



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-086711

MGG:kjf/ma

2 RMR

in edit
2/16

2009 BILL

Instead, he or she is compensated at the
100 percent compensation level.

connected

Service

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compensated based on
the percentage

- 1 AN ACT to amend 29.193 (3) (c) of the statutes; relating to: issuing annual
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Analysis by the Legislative Reference Bureau

Under current state law, a disabled veteran who is a resident of this state may be issued an annual fishing license at a lower fee than the regular fee for the license if he or she has a ~~military~~ disability rating of 70 percent or greater, as determined by the U.S. Department of Veterans Affairs (VA). This percentage disability rating is based on medical records and doctors' reports. For example, a disability rating of 70 percent entitles a veteran to 70 percent of the applicable military disability benefit. However, in each case, the VA also determines whether the veteran's disability, based on his or her education, skills, and medical condition, is so severe as to render the veteran "individually unemployable." If the VA makes that determination, the veteran is not given a percentage disability rating and is provided a 100 percent disability benefit.

Compensation

Under current law, only veterans who have a percentage disability based on medical records and doctors' reports are eligible for annual fishing licenses at the lower fee. Under this bill, veterans who are determined to be individually unemployable are eligible for annual fishing licenses at the lower fee.

also
also

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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70 percent or greater Service-
connected

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SECTION 1

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(END)

Gibson-Glass, Mary

From: Pulda, Matt
Sent: Monday, December 22, 2008 2:59 PM
To: Gibson-Glass, Mary
Subject: FW: Revised draft of fishing license bill
Attachments: 09-08672.pdf

Mary,

Thanks for revising the analysis! However, the requesters have some additional comments on the revised version (I'm sorry to bug you again). It looks like these should be relatively easy to address, though. If you would like to contact the requester directly, you have my permission to do so; her office number in Walworth County is (262) 741-4222.

Thanks!

Matt

From: cjordan@co.walworth.wi.us [mailto:cjordan@co.walworth.wi.us]
Sent: Monday, December 22, 2008 2:54 PM
To: Pulda, Matt
Cc: john.wertschnig@fdlco.wi.gov
Subject: Re: Revised draft of fishing license bill

I really hate to be picky, but..... there's two items that really aren't accurate as written.

1. VA does not have an 85% compensation level. Ratings only go by increments of 10 (10, 20, 30, etc.). Perhaps use 80 percent in the example instead of 85 percent.
2. "Instead, he or she is given 100 percent of the applicable disability compensation benefit." A 100% compensation payment really isn't 100% of a benefit, just as the payment for 80% compensation isn't 80% of the 100% benefit. It would be more appropriate to say... "Instead, he or she is compensated at the 100% rating level."

Thanks again for the opportunity to provide feedback.

Chris Jordan
 Walworth County Veterans Service Officer

"Pulda, Matt" <Matt.Pulda@legis.wisconsin.gov>

12/22/2008 09:45 AM

To <cjordan@co.walworth.wi.us>
 CC <john.wertschnig@fdlco.wi.gov>
 Subject Revised draft of fishing license bill

12/23/2008

Ms. Jordan,

I shared your comments and e-mail with the bill drafter, and she has revised the analysis portion of the bill (the language of the bill itself remains the same). Please review the new version and let me know if it's acceptable.

Thanks!

Matt Pulda
Legislative Assistant
Office of State Rep. John Townsend
(608) 266-3156

<<09-08672.pdf>>

12/23/2008

in
12/23RJR
IGF

2009 BILL

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For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1



- 1
- 2
- 3
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- 5
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7

Duerst, Christina

From: Pulda, Matt
Sent: Thursday, January 22, 2009 4:05 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-0867/3 Topic: Annual fishing license for certain disabled veterans

Please Jacket LRB 09-0867/3 for the ASSEMBLY.